

REMARKS

Upon entry of this paper, claims 1-5, 7, 10-21, 25, 26, 35-39, 43-54, 58, and 59 would be pending in this application.

Applicants have amended claims 1, 12, 35, and 45, and have canceled claims 9, 24, 42, and 57 (claims 6, 8, 22, 23, 27-34, 40, 41, 55, and 56 were previously canceled). These changes do not introduce any new matter.

Rejection under 35 U.S.C. § 102

Applicants respectfully request reconsideration of the rejection of claims 1-5, 7, 9-11, 35-39, and 42-44 under 35 U.S.C. § 102(b) as being anticipated by *Lobiondo* (US 5,287,194) (as noted above, claims 9 and 42 have been canceled). As will be explained in more detail below, the *Lobiondo* reference does not disclose each and every feature of independent claims 1 and 35, as amended herein.

Applicants have amended independent apparatus claim 1 to include the features of original claim 9. Applicants have amended independent method claim 35 to include the features of original claim 42. In light of the changes to claims 1 and 35, Applicants have canceled claims 9 and 42.

In one aspect, the print job creation apparatus defined in present claim 1 sets beforehand a default printing device for each print service and each paper size. In another aspect, the print job creation apparatus further sets a paper type used in the default printing device. In still another aspect of the print job creation apparatus, the print service is selected from among various print services including, among other services, an enlargement printing service, a digest printing service, and a calendar printing service.

The *Lobiondo* reference discloses a printshop management scheduling routine and system which provide optimum scheduling of printer jobs on a network. In particular, the *Lobiondo* reference describes that printing conditions are different depending on the data type

of an object to be printed. *Lobiondo* also discusses handling information for a print job, and the document type and paper size relating to printers. The *Lobiondo* reference, however, does not disclose any of the above-discussed aspects of the print job creation apparatus defined in present claim 1.

With regard to the multiple print services specified in present claim 1, the Examiner alleges that *Lobiondo* discloses “an album printing service (an album for printing graphics using a selected printer, See Col. 4, Line 48-50).” Final Office Action at page 5. Applicants respectfully traverse the Examiner’s characterization of the *Lobiondo* reference relative to the claimed subject matter. The cited portion of the *Lobiondo* reference states that the scheduler analyzes the printers on the network to determine which printers “are capable of producing the job, i.e., does the job require color reproduction, special paper, graphics, etc.” Column 4, lines 48-50. The mere mention of the word “graphics” does not constitute disclosure of an “album printing service” as specified in the claimed subject matter. As such, the *Lobiondo* reference does not disclose any of the multiple print services specified in present claim 1.

The presently claimed subject matter has been made to provide a print job creation apparatus for business use that provides various print services by using multiple printers having different settings of print size and paper type (see, for example, page 3, lines 4 to 8 of the specification). In this context, the presently claimed subject matter has an advantageous effect that, by setting a default printer for each print service and each paper size, printing efficiency is improved.

In summary, for at least the reasons discussed above, the *Lobiondo* reference does not disclose each and every feature of present claim 1.

Independent claim 35 defines a print execution instruction method that includes method operations that correspond to the functionality of the print job creation apparatus

defined in present claim 1. As such, the arguments set forth above with regard to present claim 1 also apply to present claim 35.

Accordingly, independent claims 1 and 35, as amended herein, are patentable under 35 U.S.C. § 102(b) over *Lobiondo*. Claims 2-5, 7, 10, and 11, each of which depends from claim 1, and claims 36-39, 43, and 44, each of which depends from claim 35, are likewise patentable under 35 U.S.C. § 102(b) over *Lobiondo* for at least the same reasons set forth above with regard to the applicable independent claim.

Rejection Under 35 U.S.C. § 103

Applicants respectfully request reconsideration of the rejection of claims 12-21, 24-26, 45-54, and 57-59 under 35 U.S.C. § 103(a) as being unpatentable over *Lobiondo* in view of *Machida* (US 7,065,564 B2) (as noted above, claims 24 and 57 have been canceled). As will be explained in more detail below, the combination of *Lobiondo* in view of *Machida* would not have suggested to one having ordinary skill in the art the subject matter defined in independent claims 12 and 45, as amended herein.

Applicants have amended independent apparatus claim 12 to include the features of original claim 24. Applicants have amended independent method claim 45 to include the features of original claim 57. In light of the changes to claims 12 and 45, Applicants have canceled claims 24 and 57.

The deficiencies of the *Lobiondo* reference relative to the subject matter defined in present claims 1 and 35 are discussed above in connection with the anticipation rejection. The above-discussed deficiencies of the *Lobiondo* reference relative to the subject matter defined in present claims 1 and 35 also apply to the subject matter defined in present claims 12 and 45. The *Machida* reference does not cure the deficiencies of the *Lobiondo* reference relative to the subject matter defined in present claims 12 and 45. Accordingly, claims 12 and 45, as amended herein, are patentable under 35 U.S.C. § 103(a) over *Lobiondo* in view of

Machida. Claims 13-21, 25, and 26, each of which ultimately depends from claim 12, and claims 46-54, 58, and 59, each of which ultimately depends from claim 45, are likewise patentable under 35 U.S.C. § 103(a) over *Lobiondo* in view of *Machida* for at least the same reasons set forth above with regard to the applicable independent claim.

Entry of Amendments

Applicants respectfully request entry of the amendments proposed herein. The proposed amendments do not raise any new issues requiring further consideration or search. Moreover, the proposed amendments respond to the application of a new reference and therefore could not have been earlier presented. Accordingly, the proposed amendments are in compliance with 37 C.F.R. § 1.116(b) and should be entered.

Conclusion

In view of the foregoing, Applicants respectfully request reconsideration and reexamination of claims 1-5, 7, 10-21, 25, 26, 35-39, 43-54, 58, and 59, as amended herein, and submit that these claims are in condition for allowance. Accordingly, a notice of allowance is respectfully requested. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at **(408) 749-6902**. If any additional fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees to Deposit Account No. 50-0805 (Order No. ITECP006).

Respectfully submitted,
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